

SENATE BILL REPORT

HB 1832

As Passed Senate, March 2, 2022

Title: An act relating to code city form of government elections and city manager appointment.

Brief Description: Concerning code city form of government elections and city manager appointment.

Sponsors: Representatives Springer, Vick, Walen and Goehner.

Brief History: Passed House: 2/9/22, 91-2.

Committee Activity: Housing & Local Government: 2/17/22, 2/24/22 [DP].

Floor Activity: Passed Senate: 3/2/22, 44-4.

Brief Summary of Bill

- Allows a proposal to change a city's form of government to council-manager under the optional municipal code and a proposal to designate the person in council position one as chair of the council to be combined and placed before voters as a single proposition.
- Allows a city manager under the optional municipal code to reside outside of the city, unless the city council affirmatively requires residency within the city.

SENATE COMMITTEE ON HOUSING & LOCAL GOVERNMENT

Majority Report: Do pass.

Signed by Senators Kuderer, Chair; Das, Vice Chair; Fortunato, Ranking Member; Gildon, Assistant Ranking Member; Cleveland, Lovelett, Salomon, Sefzik, Trudeau, Warnick and Wilson, J.

Staff: Maggie Douglas (786-7279)

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Background: Cities in Washington are municipal corporations classified according to their population at the time of organization. There are four classification types: first-class city, second-class city, town, or code city. Code cities are those cities with a population of 1500 or more that operate under the Optional Municipal Code. An area may initially incorporate as a code city, or a city or town may later reorganize as a code city.

There are two forms of government that a code city may operate under. The first is a mayor-council form. This form of government has an elected mayor as well as an elected council. The size of the council varies based on the population of the city; generally cities with fewer than 2500 people have a five-member council, while those with more than 2500 people have a seven-member council. The mayor is the chief executive and administrative officer of the city, and is in charge of all departments and employees. The mayor can veto legislation, and can break a tie on the council. Legislative power resides with the council.

The second form of government is a council-manager form of government. Under this form of government, council members are the only elected officers. There are generally five council members in cities with fewer than 2500 people and seven council members in cities with more than 2500. All council members are elected at large, in consecutively numbered council positions, unless the city provides for election by wards. The council appoints a city manager, who acts as the chief executive and administrative officer. The city manager is responsible to the council for the administration of the city. The council may choose one of its number to act as chair. The chair of the council has the title of mayor, and is the head of the city for ceremonial purposes. Alternatively, when the council is elected at-large, the city council may place a measure before the voters to designate the person elected to council position one as the chair of the council, and thus as the mayor.

The city manager does not need to live within the city at the time of appointment, but must reside in the city after appointment, unless this requirement is waived by the council.

A city may change its form of government upon a resolution of the legislative body or the filing of a petition with a sufficient number of voters, if the measure is approved by voters at an election.

Summary of Bill: A proposal to change a city's form of government to a council-manager form under the optional municipal code may be combined with a proposal to designate the person elected to council position one as chair of the council, and may be placed before voters as a single proposition.

A city manager does not need to reside in the city after appointment, unless such residency is required by the city council.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: This bill makes small technical changes to modernize the current council-manager form of city government. First, it allows the provision to change a city's form of government to council-manager to run on the same ballot as a proposal to designate the person in council position one as chair of the council. Secondly, it addresses the much outdated city residency requirement for city managers. Home ownership can be cost prohibitive and challenging to move an entire family when there are existing commute options. A city manager's engagement with the city can be encouraged and monitored without the residency requirement.

Persons Testifying: PRO: Candice Bock, Association of Washington Cities; Stephanie Lucash, Vice-President, Washington City/County Management Association (WCMA).

Persons Signed In To Testify But Not Testifying: No one.